

MAR 31 1920

Mr. Pleasant Wate
MAR 29th 1920

G. F. McInnis, State Engineer

Salt Lake City - Utah

Dear Mr. McInnis -

Replying to your favor of Mar. 27th inst. concerning the application for the appointment of a water commissioner, I beg leave to say that it appears we gave you a wrong impression in the matter of the appointment of the water master.

This is the status in a nutshell.

The waters of Twin Creek and Cedar Creek were adjudicated and a decree of the court issued, establishing certain water rights as set forth in the petition referred to. But the court left it to the Plaintiffs and defendants to agree among themselves as to the appointment of a water master. So long as they could agree it would be up to them to handle the water themselves. If they could not agree, then either party to the action may apply to the court and in such an event the court will appoint a disinterested competent person to handle said waters.

You will therefore understand the court has not in fact appointed a water master for the said Plaintiffs and Defendants. Though this sanction is implied in our harmonious action.

Now then for a number of years we agreed fairly well, but since about four years ago, the Twin Creek Irrigation Co. without consulting the Cedar Creek High Water Irrigation Co. appointed the water master and have from

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From year to year, since then done the same thing
We have had no voice in his selection, besides he is a stock holder
in the Iron Creek Irrigation Co and hence not an impartial person
Besides since the watermaster has been under their exclusive
control ~~of the~~ measuring device on the main channel and all but
one or two on the laterals (one of which is ours) have been allowed to perish,
So we are dependant upon his will and judgment alone as to
whether we are entitled ^{to any water} as well as how much.

It was our understanding, that in our condition, under the law the
State Engineer, would be the one for us to apply to. While we might under
the decree go to the Court, It occurs to us that the engineers office is the
proper and fitted body, to handle the situation.

Now then if the wording of that application is such that, by implication or
otherwise, it implies that the watermaster is or has been appointed
by the Court it is erroneous, and we respectfully ask that we be per-
mitted to amend it to make it sufficiently explicit to conform to
the facts.

Respectfully

Iron Creek High Waterworks
By O. H. Sorenson, Secy.